

## **REMARKS**

The Non-Final Office Action mailed April 26, 2007 has been reviewed and carefully considered. In view of the above amendments and the following remarks, reconsideration of the above-identified application is respectfully requested.

Claims 1-7, 10-18, 22-31 and 34 are pending in this application. Claims 8-9, 19-21, 32-33 and 35 have been withdrawn. Claims 1, 2, 10, 14, 22, 26-28 have been amended. No new matter has been added.

## **§103 REJECTIONS**

Claims 1-7, 14-18, 22-24, 26-31 and 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Peapod.com (hereinafter "Peapod") in view of U.S. Patent No. 6,339,745 to Novik (hereinafter Novik). Further, claims 10-13 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Peapod in view of Novik and in further view of Behnke (U.S. 4,360,875).

While Applicant respectfully disagrees with the rejections, in the interest of furthering this case and taking into careful consideration the Examiner's response to the previous arguments, the Applicant has now amended the independent claims 1, 10, 14, 22 and 26-28 to essentially recite, *inter alia*: 'correlating a pin number of a client to terrestrial coordinates corresponding to a cross-referenced postal address of the client.'

As previously acknowledged by the Examiner, Peapod fails to disclose or suggest at least correlating a postal address of each client from a plurality of clients to precise **terrestrial coordinates corresponding to said postal address**, and identifying a vehicle nearest to the **terrestrial coordinates** of a client/addressee. With regards to any alleged

'geographic location' teaching, Peapod merely refers to pre-specified areas in which grocery delivery services are offered, wherein a customer can determine if they are in a Peapod service area by entering their zip code online on the Peapod website. This is not to be confused with or interpreted as disclosing wherein precise terrestrial coordinates are directly inferred from a client-entered pin number.

Novik teaches a system for tracking, monitoring and displaying the positions of vehicles in a fleet from a base station for the purpose of allowing a user to manage fleet operations for maintaining fleet safety and security. While GPS technology is utilized and generally mentioned in Novik, such position-determining technology is merely used to record the GPS information for each vehicle and communicate the GPS information to a base station for **tracking** purposes. *See e.g.*, Col. 4, lines 19-54. Search functions taught in Novik involve wherein a user enters a location and a map is generated. *See* FIG. 11. The user in Novik is able to find a location based on geographically-related information such as a street address city, state, latitude, longitude.

However, there is no disclosure or suggestion in either Peapod and/or Novik of at least correlating a client pin number to terrestrial coordinates corresponding to a cross-referenced postal address of the client, essentially as claimed in claims 1, 10, 14, 22 and 26-28. Advantageously, a system and method of the present invention according to one embodiment is enabled to ultimately correlate a client pin number to terrestrial coordinates corresponding to a postal address of the client. As such, the geographic location of the client is relayed to the delivery vehicle in a manner which minimizes data entry and maximizes privacy as well as user-friendliness for the client, which may often be a handicapped, elderly, disabled person or a person in need of emergency aid. Contrast this

with Novik, which simply discloses wherein a user may be able to find a location based on entering an actual address, city, latitude, etc; or with Peapod, which does not even disclose or suggest wherein a postal address is correlated to terrestrial coordinates, much less correlating a *client pin number* with terrestrial coordinates corresponding to a postal address of the client.

Furthermore, note that neither Peapod nor Novik make any mention whatsoever of stored postal addresses of clients, much less stored client pin numbers (whether stored in a first, second or common database, as affirmed by the Examiner on page 7 of the Office Action), and thus such process of correlating a client pin number to terrestrial coordinates corresponding to a postal address of a client as presently claimed is simply impossible to perform in either Peapod and/or Novik.

Behnke is cited by the Examiner here as allegedly disclosing service delivery to handicapped persons; however, Behnke fails to fully cure the deficiencies of Peapod and/or Novik. While Behnke arguably mentions stored addresses, it fails to disclose or suggest terrestrial coordinates being cross-referenced to each address, as previously affirmed by the Examiner, much less correlating a pin number of a client to terrestrial coordinates corresponding to a postal address of the client, essentially as claimed in claims 1, 10, 14, 22 and 26-28. Instead, Behnke simply refers to generalized **rectangular grids** which themselves each contain numerous addresses and are assigned a neighborhood code. As stated in Col. 9, lines 31-34, “[E]ach address stored in a central coordinating station computer 14 or data storage unit 24 is assigned the “neighborhood code” designating the neighborhood in which such address is located.”

There is clearly no teaching or suggestion, either explicit or implied, in Peapod in view of Novik and/or Behnke of at least correlating a client pin number to terrestrial coordinates corresponding to a postal address of the client, essentially as claimed in claims 1, 10, 14, 22 and 26-28.

Accordingly, claims 1, 10, 14, 22 and 26-28 are asserted to be patentable and nonobvious over Peapod in view of Novik and/or Behnke for at least the reasons stated above. Claims 2-7, 11-13, 15-18, 23-25 and 29-31, 34 depend from claims 1, 10, 14, 22 and 28 respectively. The dependent claims include the limitations of their respective independent claims and are therefore believed to be patentable and nonobvious for at least the reasons stated for claims 1, 10, 14, 22 and 28.

Withdrawal of all the rejections and early and favorable reconsideration of the case is respectfully requested.

### CONCLUSION

In view of the foregoing, Applicant respectfully requests that the rejections of the claims set forth in the Non-Final Office Action of April 26, 2007 be withdrawn, that pending Claims 1-7, 10-18, 22-31 and 34 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

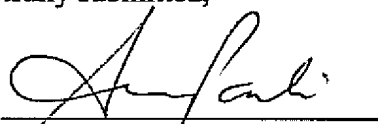
It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 50-0510.

Date: \_\_\_\_\_

7/26/07

Respectfully submitted,

By: \_\_\_\_\_



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